

Message Text

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ORIGIN EB-08

INFO OCT-01 ARA-10 IO-13 ISO-00 STR-07 COME-00 AGRE-00
CIAE-00 INR-10 LAB-04 NSAE-00 SP-02 TRSE-00
FRB-03 OMB-01 /059 R

DRAFTED BY EB/OT/GCP:DFINNERTY:STR:TSTEWART
APPROVED BY EB/OT:SAHMAD
EB/OT/GCP:JSLATTERY
-OMMERCE:RRODRIGUEZ (SUBS)
ARA/ECP:SWATKINS
STR:JROSENBAUM (SUBS)
ARA/AND-C:SHOLLY

-----124033 281444Z /43

P R 281435Z JUL 78
FM SECSTATE WASHDC
TO AMEMBASSY BOGOTA PRIORITY
INFO USMISSION GENEVA

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ALSO FOR USMTN

E.O. 11652:N/A

TAGS:ETRD, MTN, CO

SUBJECT:RESTRICTION ON IMPORT OF HEAVY TRUCKS

REF: BOGOTA 6642

1. USG VIEWS COLOMBIAN ACTION ON IMPORT OF HEAVY TRUCKS AS
UNJUSTIFIED AND BLATANTLY DISCRIMINATORY AGAINST U.S. EXPORT
INTERESTS. TRUCKS SUBJECT TO IMPORT RESTRICTIONS WERE
INCLUDED ON U.S. MTN REQUEST FOR BOTH TARIFF AND NTM LIBER-
ALIZATION (BTN 87.07.01.02). IRRESPECTIVE OF INCONSISTEN-
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CIES BETWEEN U.S. AND COLOMBIAN TRADE DATA, USG CONSIDERS
HEAVY DUTY TRUCKS AS A PRODUCT OF CONSIDERABLE EXPORT
INTEREST.

2. IN ITS DECLARATION OF PROVISIONAL ACCESSION TO GATT
DATED JULY 23, 1975, GOC AGREED TO APPLY PART II (ARTICLES
III-XXIII) TO FULLEST EXTENT NOT INCONSISTENT WITH ITS

LEGISLATION EXISTING ON THAT DATE. IN VIEW OF THE GENERAL PROHIBITION AGAINST QUANTITATIVE IMPORT RESTRICTIONS IN ARTICLE XI, COLOMBIA MAY ONLY APPLY RESTRICTIONS WHICH ARE MANDATORY UNDER LEGISLATION IN FORCE ON JULY 23, 1975. WHERE ANY ADMINISTRATIVE LEEWAY EXISTS, ARTICLE XIII REQUIRES THAT SUCH RESTRICTIONS BE APPLIED ON A NON-DISCRIMINATORY BASIS, "AIMING...AT A DISTRIBUTION OF TRADE...APPROACHING AS CLOSELY AS POSSIBLE THE SHARE WHICH THE VARIOUS CONTRACT-

INT PARTIES MIGHT BE EXPECTED TO OBTAIN IN THE ABSENCE OF SUCH RESTRICTIONS...."

3. WE SUSPECT THAT TRUCK QRS VIOLATE COLOMBIA'S OBLIGATIONS UNDER DECLARATION OF PROVISIONAL ACCESSION WITH RESPECT TO ARTICLE XIII AND POSSIBLY ALSO ARTICLE XI. EMBASSY IS REQUESTED TO RESEARCH LEGAL BASIS FOR RESTRICTIONS IN LIGHT OF PARA. 2 AND REPORT FINDINGS SO THAT WE CAN PREPARE GUIDANCE FOR DEMARCHE IMMEDIATELY FOLLOWING VISIT OF SECRETARY BLUMENTHAL. CHRISTOPHER

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Message Attributes

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Draft Date: 28 jul 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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